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Atty. Dkt. No. 072827-1905

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Alan Mueller, et al.
Title: METHODS AND COMPOUNDS
FOR TREATING DEPRESSION
AND OTHER DISORDERS
Appl. No.: 09/990,405
Filing Date: 11/21/2001
Examiner: William R. A. Jarvis
Art Unit: 1614

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Deborah Wykes (Printed Name) <i>Deborah Wykes</i> (Signature) July 14, 2003 (Date of Deposit)

AMENDMENT AND REPLY UNDER 37 CFR 1.111

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated January 14, 2003 concerning the above-referenced patent application.

Applicant has enclosed with this amendment a Petition for Extension of Time to make this response timely.

The amendments presented below are in compliance with the revised amendment format permitted in the Notice from the Office of Patent Legal Administration of the U.S. Patent and Trademark Office dated February 10, 2003, and published at 1267 OG 106 on February 25, 2003. Thus, the provisions of 37 CFR 1.121(a), (b), (c) and (d) are waived for amendments made in this application to the claims, specification, and drawings.

09/03/2003 FPATTERS 00000001 500872 09990405

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03 FC:2208 42.00 DA

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Atty. Dkt. No. 072827-1905

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this document.

Remarks/Arguments begin on page 15 of this document.

Please amend the application as follows:

FOLEY & LARDNER
ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200
SAN DIEGO, CA 92130
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CTO
9/4/03

FACSIMILE TRANSMISSION**Total # of Pages 22 (including this page)**

TO:	PHONE #:	FAX #:
Examiner Ostrup U.S. Patent and Trademark Office		703-746-5044

From : Wesley B. Ames**Date :** September 3, 2003**Client/Matter No :** 072827-1905**User ID No :** 0188**MESSAGE:**

As you requested, the following is an Amendment and Reply Under 37 CFR 1.111 which was previously faxed to Examiner William R. A. Jarvis on July 14, 2003.

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NO. 3615 P. 2 P. 1

* * * COMMUNICATION RESULT REPORT (JUL. 14. 2003 4:32PM) * * *

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TO:	PHONE #:	FAX #:
Examiner William R. A. Jarvis U.S. Patent and Trademark Office		703-746-5178

From : Wesley B. Ames

Date : July 14, 2003

Client/Matter No : 072827-1905

User ID No : 0188

MESSAGE:

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ATTORNEYS AT LAW

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AMENDMENT TRANSMITTAL

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.

[X] The fee required for additional claims is calculated below:

	Claims as Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	24	X	20	=	4	x	\$18.00	=	\$72.00
Independents:		X	7	=	0	x	\$84.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$280.00	=	\$0.00
CLAIMS FEE TOTAL:									\$72.00

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

Atty. Dkt. No. 072827-1905

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$410.00	\$0.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$930.00	\$930.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,970.00	\$0.00
EXTENSION FEE TOTAL:			\$930.00
<input type="checkbox"/>	Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$55.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:			\$1002.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract 1/2 of above):		\$501.00
TOTAL FEE:			\$501.00

☒ Please charge Deposit Account No. 50-0872 in the amount of \$501.00. A duplicate copy of this transmittal is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 14 July 2003

By Wesley B. Ames

FOLEY & LARDNER
Customer Number: 33588

Wesley B. Ames
Attorney for Applicant
Registration No. 40,893



33588

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